

**THE COMMON COUNCIL OF THE CITY OF NEW ALBANY,
INDIANA HELD A MEETING IN THE CITY/COUNTY BUILDING
ON MONDAY, MAY 1, 2006.**

The meeting of the **New Albany City Council** was called to order by President Jeff Gahan at 7:31 pm. The meeting opened with the Lord's Prayer and the Pledge of Allegiance.

MEMBERS PRESENT: Council Members Mr. Coffey, Mr. Schmidt, Mr. Price, Mr. Kochert, Mr. Blevins, Mr. Messer, Mr. Seabrook, Ms. Crump and President Jeff Gahan.

OTHERS: Council Attorney Jerry Ulrich and Deputy City Clerk Vicki Glotzbach.

ALSO: John Rosenbarger, Adam Dickey, Scott Wood, Planning and Zoning, Brian Dixon, EMC, Paul Wheatley, Economic Development Director, Tony Toran, Director of City Operations and Mayor James E. Garner, Sr.

CALL TO ORDER:

PRAYER AND PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Schmidt motioned to approve the meeting minutes of April 20, 2006, Mr. Price second, all voted in favor with the exception of Ms. Crump who abstained.

COMMUNICATIONS – PUBLIC:

Rich Carter, 212 Bittersweet, Deputy Director of Haven House, was present to explain what the Haven House does and asked that the council consider R-06-06 this evening.

Raymond Shafer was present as well to explain how vital the Haven House is to the community and asked for the council's support on R-06-06.

Kelly McVey, Comforma Clad, was present to explain his company and asked the council to support his statement of benefits that would be heard later in the meeting.

Mr. Kochert asked what the average salary is.

Mr. McVey replied \$22,000.00.

Doris Smith, 81 Wolfe Trace, was present to explain that she was not in favor of the proposed Bridgewater project and asked that the council not support the development. A copy of her statement is on file in the City Clerk's office.

Byron Hagmann, 499 Tyler Drive, read a letter from Scott Burch which is on file in the City Clerk's office.

Jane Hagmann, 499 Tyler Drive, stated that her main concern is the intersection of Schell and Daisy Lanes and explained the problems that already exist that will only get worst with the Bridgewater development.

Herman Thomas, 610 Kent Drive, explained that Daisy Lane during rush hour is unbearable and asked that the development be turned down by the council.

Tirri Hickerson, 87 Wolfe Trace, presented a packet of information explaining all of her concerns. Said packet is on file in the City Clerk's office.

Shirley Baird, 642 W. 6th Street, stated that she was not in favor of the Bridgewater project and suggested moving the project closer to the inner city where we need more people.

Matt Nash, 2715 Mohawk, explained his concern his wife was involved in an accident on her way home from church he stated that serious work needs to be done in the area before the development should be considered.

Claire Volpert and Louis Volpert, 512 Kent Drive, were present to express their opposition to the Bridgewater project.

David Hagmann, 2524 Schell Lane, presented handouts to the council and explained his opposition to the Bridgewater project and asked that Ms. Crump abstain from voting on the development. Said handout is on file in the City Clerk's office.

Kay Hartman, 1337 Francis Drive, stated that she owns property on Daisy Lane and explained that they were promised when the Elrod highrise was built that there would never be any other highrises developed there. The city would never allow additional homes to be built on Lynn Road. She wanted to build a home for her handicapped daughter so that she could live close and be watched over but that request was denied by the city. She stated that she feels that the city is only interested in the profit of taxes that will come from the development. She wants the council to think about whether or not this project is fair for the residents of the area.

Betty Nolot, 515 Daisy Lane, explained how six years ago a car came around the corner and crashed into their brick home and shoved the bedroom into the hallway. She commented that no one has slept in that bedroom since. She stated that they have gone through 26 mailboxes and have counted as many as 17 cars per minute on their street. She asked to keep the development out for safety reasons.

Scott Adams, Developer for Bridgewater, explained that many statements they have heard tonight are driven by emotions and many are not driven by facts. He stated that they have provided the council with all facts in the information he provided for the council packets. Said information is on file in the City Clerk's office. He also stated that they support Redevelopment in the reconstruction of Daisy Lane which has troubled areas that desperately need to be taken care of. He stated that they followed all guidelines of the comprehensive plan that the city council endorsed and supported. They will dedicate more right-of-way to build sidewalks to make it safer and will participate in the cost in a traffic light. He stated that as a result of hearing all of the present concerns, he would request that it be tabled until the May 18th meeting so that they can take their plans back to the drawing table to be revised. He stated that they will reduce density and come back with a revised traffic study. He added that they will voluntarily commit to classify the entire development as a senior retirement community.

Mr. Coffey asked if they were going by comprehensive plan, why ask for a PUDD.

Mr. Adams replied that in meeting with the department of planning, they recommended a PUDD because it gives the council greater control than an R4 or R5 provides.

Mr. Coffey stated that his problem is with density.

Mr. Adams replied that Daisy Lane does not function the way it is suppose to.

Mr. Seabrook stated that the entrance into Wolfe Trace was not really the developer's idea.

Mr. Adams replied that the Plan Commission suggested connecting neighborhoods.

Mr. Seabrook stated that Wolfe Trace was a dedicated subdivision as a dead end and he remembered there being some discussion of an emergency access with a gate that was completely ignored in the proposal.

Patty Blanckart, 527 E. Daisy Lane, stated that she thinks it is a great development that would be better suited for downtown and asked that be considered.

COMMUNICATIONS – CITY OFFICIALS:

John Rosenbarger explained that the resolution for Conforma Clad is a ten year abatement. He also explained that there was miscommunication between his office and the clerk's office so the Stemler PUDD was not included on the agenda for this evening and asked that the council possibly consider three readings at the next meeting. He also stated that the Daisy Lane improvement project is in the works and the current goal is to realign the intersection, add a signal at Graybrook Lane and eliminate one at Grant Line Road. He added that the signal work could be completed as early as the end of this year. He concluded by saying that the Daisy Lane project that has been talked about for many years is on the edge of reality.

Mr. Price stated that the council has sent a strong message when things come from the plan commission with an unfavorable recommendation such as Mr. McCartin's commercial building on the corner of Daisy Lane and Green Valley Road and wanted to know how the commission can be in favor of a project with 162 condos.

Mr. Rosenbarger replied that the plan commission has never hesitated about traffic and the other projects were voted down by zoning.

Mr. Coffey asked how long the council has on JohnPaul.

Mr. Rosenbarger stated that when it comes from planning with no recommendation or a negative recommendation the council has 90 days to approve it or it will be denied.

Mr. Coffey also expressed his concern for Schell Lane and its similar condition to Spring Street Hill.

SEWER BOARD REPORT:

Mr. Fifer stated that he received a letter from EPA approving the first 150,000 credits. He added that the accountants should be at the next sewer board meeting with updated financial report for the last two months and he will make sure that the council gets that information.

COMMUNICATIONS – MAYOR:

Mayor Garner explained the bids that were submitted to the drainage works committee and recommended that the lowest bidder which was PDI be accepted..

Mr. Coffey motioned to accept the PDI bid, Mr. Messer second, all voted in favor by show of hands.

Mayor Garner also brought forth information on the gate on Cedar Street and stated that the materials cost about \$125.00 and the work can be done in-house.

Mr. Seabrook motioned to approve, Mr. Messer second, all voted in favor by show of hands.

APPOINTMENTS:

APPROVAL OF CF-1 FORMS:

INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

R-06-06 Resolution to Fund Haven House, Inc.

Mr. Schmidt introduced R-06-06 for reading, Mr. Coffey second, all voted in favor by show of hands with the exception of Mr. Price, Mr. Kochert and Mr. Seabrook who voted nay.

Mr. Seabrook asked how much they are asking for.

Mr. Schmidt replied \$5,000.00.

Mr. Price stated that he feels the same about this as he does about the Studio 2000 and feels that the money may need to be used somewhere else. He explained that he would like to give to all charities that come forward but is afraid it may open a door that they can't continue to keep up with.

Mr. Seabrook stated that he would like to ask for roll call on this.

R-06-10 Resolution Concerning Statement of Benefits
For Conformity Clad by the Common Council of
The City of New Albany.

Mr. Kochert motioned that it be reduced to five years due to the fact that we are in dire straights for new tax money to do some of these projects that we can't do because we don't have tax money, Mr. Messer second, all voted in favor with the exception of Mr. Seabrook voted nay.

Mr. Messer introduced R-06-10 as amended for reading, Mr. Seabrook second, all voted in favor by show of hands.

G-06-12 Ordinance to Allow Payments to City Departments
By Credit Card.

Mr. Blevins introduced G-06-12 for first reading, Mr. Coffey second, all voted in favor.

Z-06-12 Ordinance Amending the Code of Ordinances of New
Albany, Indiana Title XV, Chapter 156 (Docket
P-08-06: Daisy Lane Developers, Inc.)

Ms. Crump tabled this item.

G-06-08 Ordinance to Amend Ordinance G-98-263
Removal of Abandoned Vehicles; Establishment
Of Procedures.

Mr. Price introduced G-06-08 and motioned for second and third readings, Mr. Kochert second, all voted in favor. Bill No. G-06-08 became Ordinance No. G-06-13.

Mr. Messer wanted the council to be aware that Officer Lewis is having a little trouble with the state as far as where to put the cars until we have an option that is controlled by the State. He added that the council may want to revisit looking for property to hold the junk cars.

Mr. Price asked if Jeffersonville has an ordinance that states after three days they take them to the scrap yard.

Mr. Messer replied yes but the State still has their hand in deciding who gets the money and they feel they have the right to the auction.

G-06-09 An Ordinance to Authorize the use of Credit Cards
And Purchasing Cards for City Purchasing

Mr. Blevins introduced G-06-09 and motioned for the second and third readings, Mr. Coffey second, all voted in favor with the exception of Mr. Price and Mr. Kochert who voted nay. Bill No. G-06-09 became Ordinance No. G-06-14.

G-06-10 Ordinance Amending the Code of Ordinances of
New Albany, Indiana, Title XI, Chapter 111
Riverfront Development Project Area

Mr. Messer introduced G-06-10 and motioned for the second and third readings, Mr. Coffey second, all voted in favor. Bill No. G-06-10 became Ordinance No. G-06-15.

G-06-11 Ordinance to Establish the Position of a Full Time
City Attorney for the City of New Albany Indiana

Mr. Coffey tabled this item.

Z-06-10 Ordinance Amending the Code of Ordinances of
New Albany, Indiana Title XV, Chapter 156
(Docket P-02-06: JonPaul, Inc.)

Ms. Crump tabled this item.

Mr. Gahan stated that the council would hold a work session on Wednesday May 10, 2006 at 6:00 p.m.

Ms. Crump stated that she would be in Washington D.C.

There being no further business before the board, the meeting adjourned at 9:14 p.m.

Jeff Gahan, President
Common Council, City of New Albany

ATTEST: _____
Marcey J. Wisman, City Clerk